

## STATE WATER RESOURCES CONTROL BOARD

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OCT 15 1992

TO: INTERESTED PARTIES

## AMENDED GENERAL INDUSTRIAL ACTIVITIES STORM WATER PERMIT

Enclosed is an updated copy of the General Industrial Activities Storm Water Permit (General Permit) adopted by the State Water Resources Control Board (State Water Board) on November 19, 1991 and amended on September 17, 1992. Dischargers who have not already filed their Notice of Intent (NOI) to comply with the terms of the General Permit and the first annual fee must submit a NOI accompanied by the first annual fee to the State Water Board in order to be covered by this General Permit. The NOI and fee must be sent to the following address:

State Water Resources Control Board  
Division of Water Quality  
Attention: Storm Water Permit Unit  
P.O. Box 1977  
Sacramento, CA 95812-1977

The NOI will only be processed if accompanied by the appropriate fee. The fee will be either \$250.00 or \$500.00. Enclosure 1 describes those areas in which the \$250.00 annual fee applies. Dischargers in all other areas of the State must pay the \$500.00 annual fee.

Attachment 2 to the Permit lists the nine California Regional Water Quality Control Boards' (Regional Water Boards) addresses and telephone numbers. You should discuss any questions or issues which relate to the implementation of the General Permit with Regional Water Board staff.

The updated General Permit contains amended monitoring and reporting requirements (Section B of the General Permit) that replace the original monitoring and reporting requirements. The new monitoring and reporting requirements have been simplified and now offer several sampling and analysis exemption options. Existing dischargers must develop and implement a monitoring program by January 1, 1993. New dischargers (those beginning industrial activity after January 1, 1993) must develop and implement a monitoring program prior to the commencement of industrial activity.

Interested Parties

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OCT 15 1992

The amended monitoring and reporting provisions require that group monitoring proposals be submitted to the appropriate Regional Water Board(s) by December 1, 1992 and in subsequent years by August 1. Groups with participants within the boundaries of more than one Regional Water Board must send their group monitoring proposal to the State Water Board's Executive Director for approval to the above address.

Also, we would appreciate it if you would inform other industries similar to your own of the need to obtain a storm water permit. If you know of industries that need to obtain a permit but may be unaware of the State's program, please ask them to call Division of Water Quality staff at the telephone number shown below.

If you have any questions regarding this General Permit, please telephone the industrial activities storm water permit information line at (916) 657-0919.

Sincerely,

*Walt Pettit*  
Walt Pettit  
Executive Director

Enclosures (2)

AREAS OF THE STATE IN WHICH THE \$250.00 ANNUAL FEE APPLIES

<u>Municipality</u>	<u>Permitted Area</u>
1. Alameda County	The permitted area of the county is the westerly side of the county which drains to San Francisco Bay.
2. Los Angeles County	The permitted area consists of the five hydrologic subbasins which drain into the Pacific Ocean as follows: Santa Monica Bay, Upper Los Angeles River, including Sycamore Channel, Upper San Gabriel River, Lower Los Angeles River, and Lower San Gabriel River, including Santa Clarita Valley. The permit does not cover the cities of Avalon, Lancaster, and Palmdale.
3. Orange County	The permitted area is delineated by the Los Angeles County line on the northwest, the San Bernardino County line on the north and northeast, the Riverside County line on the east, the San Diego County line on the south, and the Pacific Ocean on the southwest.
4. Riverside County	The permitted area is delineated by the San Bernardino County line on the north and northwest, the Orange County line on the west, the San Diego County line on the south, and the Santa Ana/Colorado River Basin Regional Boards' boundary line on the east (mountain crest).
5. Sacramento County	The entire county except for the incorporated City of Isleton.
6. San Bernardino County	The permitted area is delineated by the Santa Ana-Lahontan Regional Board boundary line on the north and northeast, the Santa Ana-Colorado River Basin Regional Board boundary line on the east, the San Bernardino-Riverside

Municipality

Permitted Area

7. San Diego County

County boundary line on the south and southeast, the San-Bernardino-Orange County boundary line on the southwest, and the San Bernardino-Los Angeles County boundary line on the west.

The permitted area is delineated by the San Diego County lines on the north and south, the Pacific Ocean on the west, and the San Diego/Colorado River Basin Regional Board boundary on the east (mountain crest).

8. Santa Clara County

The Santa Clara Valley Basin portion of the county containing eleven hydrologic subbasins which discharge into watercourses which in turn flow into South San Francisco Bay.

STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD)  
901 P STREET  
SACRAMENTO, CA 95814

FACT SHEET  
FOR  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES)  
GENERAL PERMIT (AS AMENDED SEPTEMBER 17, 1992) FOR  
STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES  
EXCLUDING CONSTRUCTION ACTIVITIES

BACKGROUND

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act (CWA)) was amended to provide that the discharge of pollutants to waters of the United States from any point source is effectively prohibited, unless the discharge is in compliance with a NPDES permit. The 1987 amendments to the CWA added Section 402(p) which establishes a framework for regulating municipal and industrial storm water discharges under the NPDES program. On November 16, 1990, the U.S. Environmental Protection Agency (USEPA) published final regulations that establish application requirements for storm water permits. The regulations require that storm water associated with industrial activity (industrial storm water) that discharges either directly to surface waters or indirectly, through municipal separate storm sewers, must be regulated by a NPDES permit. This includes the discharge of "sheet flow" through a drainage system or other conveyance.

The federal regulations allow authorized states to issue general permits or individual permits to regulate industrial storm water discharges. The State Water Board has elected to issue a statewide general permit that will apply to all industrial storm water discharges requiring a permit except construction activity. A separate statewide general permit has been issued for construction activity. To obtain authorization for continued and future industrial storm water discharge, owners, or operators when the owners do not operate the facility (dischargers), must submit a Notice of Intent (NOI) to be covered by this general permit. This approach is consistent with the four-tier permitting strategy described in federal regulations, i.e., Tier 1, Baseline Permitting. Tier 1, Baseline Permitting, enables the State to begin reducing pollutants in industrial storm water in the most efficient manner possible. Thus, as soon as possible, all dischargers will be required by this general permit to begin implementing practices to prevent storm water pollution. Time will not be lost preparing detailed individual and general permit applications before implementing practices to prevent storm water pollution.

The State Water Board has elected not to accept USEPA's group application approach or to adopt general permits for specific industrial groups at this time. All dischargers participating in group applications must either obtain coverage under this general permit or apply for an individual permit by October 1, 1992. The State Water Board bases this decision on the following factors:

1. USEPA does not allow the states to review and approve the group applications.
2. Review of hundreds of USEPA model permits and preparation of hundreds of group-specific general permits is administratively burdensome and is inconsistent with the State Water Board's long-term permitting strategy.
3. Allowing the group application action in California would result in an inequitable and ineffective storm water permitting program. While group applicants would not be required to implement best management practices (BMPs) to reduce pollutants in storm water discharge until they receive a permit (probably several years), dischargers under the State Water Board's general permit will be required to implement BMPs on October 1, 1992.
4. The State Water Board is providing a group monitoring alternative, somewhat similar to the group application monitoring requirements, that should provide reduced monitoring costs to the dischargers.

When USEPA issues model permits for any groups, the Regional Water Boards may consider, as appropriate, adopting group permits based upon the USEPA model permits.

The general permit accompanying this fact sheet is intended to regulate industrial storm water discharges. The consolidation of many discharges under one general permit will greatly reduce the otherwise overwhelming administrative burden associated with start up of a new program to regulate industrial storm water discharges. It is also the least costly way for a discharger to obtain a permit and comply with USEPA's regulations. It is expected that as the storm water program develops, the Regional Water Boards will issue individual and general permits which regulate discharges specific either to industrial categories or to watersheds. As new permits are adopted, dischargers subject to those permits will no longer be regulated by this general permit. As permits are reissued for discharges of treated wastewater that are currently regulated by a NPDES permit, Regional Water Boards may include storm water provisions in the revised permit.

This general permit generally requires dischargers to:

1. Eliminate most non-storm water discharges (including illicit connections) to storm water sewer systems;
2. Develop and implement a storm water pollution prevention plan; and
3. Perform monitoring of discharges to storm water sewer systems.

#### TYPES OF STORM WATER DISCHARGES COVERED BY THIS GENERAL PERMIT

This general permit is intended to cover all new or existing discharges composed entirely of industrial storm water from facilities required by federal regulations to obtain a permit. This includes all facilities that are participating in a group application. The State Water Board notes that officials from USEPA have stated that the regulations include only those facilities which are operated by industries whose primary function is described in the categories listed below. The State Water Board does not agree with this interpretation of the regulations, as the regulations are based on the primary activity at each industrial facility, and not the primary business of the owner or operator of the facility. The State Water Board concludes that, based on its interpretation of the federal regulations, and its duty and authority to protect water quality within California, the general permit must extend to all facilities which are described in the categories below, whether the activity is primary or is auxiliary to the owner or operator of the facility. For example, even though a school district's primary function is education, a facility which it operates for vehicle maintenance of school buses is a transportation facility which is covered by this general permit.

Discharges from facilities and commercial enterprises which are not required by federal regulations to obtain a permit will not be covered by this general permit unless designated by the Regional Water Board.

Discharges requiring a permit are listed by category in 40 Code of Federal Regulations (CFR) Section 122.26(b)(14) (Federal Register, Volume 55 at Pages 48065-66). The facilities can be publicly or privately owned. A general description of these categories are:

1. Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards (40 CFR Subchapter N);
2. Manufacturing facilities;
3. Mining and Oil and Gas facilities;
4. Hazardous waste treatment, storage, or disposal facilities;
5. Landfills, land application sites, and open dumps that receive industrial waste;
6. Recycling facilities such as metal scrap yards, battery reclaimers, salvage yards, automobile yards;
7. Steam electric generating facilities;
8. Transportation facilities;
9. Sewage treatment plants;
10. Construction activity (covered by a separate general permit); and
11. Certain facilities if materials are exposed to storm water.

For the most part, these facilities are identified in the federal regulations by Standard Industrial Classification (SIC). Attachment 1 to the general permit contains a more detailed description including SIC codes of industries to be regulated.

Category 1 Dischargers

Facilities that currently fall within Category 1 are explained as follows:

1. Facilities Subject to Storm Water Effluent Limitations Guidelines

The following categories of facilities currently have storm water effluent limitations guidelines for at least one of their subcategories. They are cement manufacturing (40 CFR Part 411); feedlots (40 CFR Part 412); fertilizer manufacturing (40 CFR Part 418); petroleum refining (40 CFR Part 419); phosphate manufacturing (40 CFR Part 422); steam electric power generation (40 CFR Part 423); coal mining (40 CFR Part 434); mineral mining and processing (40 CFR Part 436); ore mining and dressing (40 CFR Part 440); and asphalt emulsion (40 CFR Part 443). A facility that falls into one of these general categories should examine the effluent guidelines to determine if it is categorized in one of the subcategories that have storm water effluent guidelines. If a facility is classified as one of those subcategories, that facility is subject to the standards listed in the CFR for that category, and is subject to this general permit. This general permit contains additional requirements (see Section B.7) for facilities with storm water effluent limitations guidelines.

2. Facilities Subject to New Source Performance Standards

Most effluent limitations guidelines listed in 40 CFR Subchapter N contain New Source Performance Standards (NSPS). A facility that is subject to a NSPS as defined for that particular effluent limitations guideline is subject to this general permit. The definition of a new source varies based on the publication date of the particular effluent limitations guideline.

The following categories of 40 CFR Subchapter N facilities currently do not have NSPS. All other categories have at least one subcategory with NSPS.

Oil and Gas Extraction (40 CFR Part 435)  
Mineral Mining and Processing (40 CFR Part 436)  
Gum and Wood Chemicals Manufacturing (40 CFR Part 454)  
Pesticide Chemicals (40 CFR Part 455)  
Explosives Manufacturing (40 CFR Part 457)  
Photographic (40 CFR Part 459)  
Hospital (40 CFR Part 460)

3. Facilities Subject to Toxic Pollutant Effluent Standards

If any toxic pollutant as defined in Tables II and III of Appendix D to 40 CFR Part 122 is limited in an effluent limitations guideline to which the facility is subject (including pretreatment standards), then the facility is subject to this general permit. The following categories of facilities currently have toxic pollutants effluent standards for at least one subcategory:

Textile mills (40 CFR Part 410)  
Electroplating (40 CFR Part 413)  
Organic chemicals, plastics, and synthetic fibers (40 CFR Part 414)  
Inorganic chemicals (40 CFR Part 415)

Petroleum refining (40 CFR Part 419)  
Iron and steel manufacturing (40 CFR Part 420)  
Nonferrous metals manufacturing (40 CFR Part 421)  
Steam electric power generating (40 CFR Part 423)  
Ferrous alloy manufacturing (40 CFR Part 424)  
Leather tanning and finishing (40 CFR Part 425)  
Glass manufacturing (40 CFR Part 426)  
Rubber manufacturing (40 CFR Part 428)  
Timber products processing (40 CFR Part 429)  
Pulp, paper, and paperboard (40 CFR Part 430)  
Metal finishing (40 CFR Part 433)  
Pharmaceutical manufacturing (40 CFR Part 439)  
Ore mining and dressing (40 CFR Part 440)  
Pesticide chemicals (40 CFR Part 455)  
Photographic processing (40 CFR Part 459)  
Battery manufacturing (40 CFR Part 461)  
Metal molding and casting (40 CFR Part 464)  
Coil coating (40 CFR Part 465)  
Porcelain enameling (40 CFR Part 466)  
Aluminum forming (40 CFR Part 467)  
Copper forming (40 CFR Part 468)  
Electrical and electronic components (40 CFR Part 469)  
Nonferrous metals forming and metal powders (40 CFR Part 471)

Facilities that are only listed in Category 1 because they have toxic pollutant effluent standards but which are not required to be permitted under Category 11 (because they have no exposure to materials handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery) are not subject to this general permit. Facilities that are subject to NSPS or storm water effluent limitations guidelines are subject to this general permit regardless of whether they have exposure or not.

USEPA has ongoing rulemaking that may affect certain industrial categories in 40 CFR Subchapter N during the term of this general permit. These include, but are not limited, to the following:

Organic chemicals, plastics, and synthetic fibers  
Pesticides manufacturing  
Pesticides formulating and packaging  
Centralized Waste Treatment, Phase 1  
Pharmaceutical manufacturing  
Metal Products and Machinery, Phase 1  
Coastal oil and gas extraction  
Offshore oil and gas extraction  
Pulp, paper, and paperboard

Dischargers that are affected by these rulemakings must comply with the new federal regulations and may be subject to the requirements of this general permit.

#### Category 5 Dischargers

Inactive or closed landfills, land application sites, and open dumps that have received industrial wastes (Category 5) may be subject to this general permit unless the storm water discharges from the sites are already regulated by a NPDES permit issued by the appropriate Regional Water Board. Owners or operators of closed

landfills that are regulated by waste discharge requirements (WDRs) may be required to comply with this general permit. In some cases, it may be appropriate for closed landfills to be covered by the State Water Board's General Construction Activity Storm Water Permit during closure activities. The appropriate Regional Water Board should be contacted for this determination.

Category 11 Dischargers

Dischargers in Category 11 that believe they are not subject to this general permit because of no exposure should conduct a facility inspection and document that the following minimum conditions have been met:

1. All illicit connections to the storm drainage system have been eliminated;
2. All materials are completely contained at all times;
3. All unhoued equipment associated with industrial activity is not exposed to storm water; and
4. All emissions from stacks or exhaust systems and emissions of dust or particulates do not contribute significant quantities of pollutants to storm water discharge.

Dischargers should evaluate all direct and indirect pathways of exposure. Dischargers are not required to submit this documentation but are advised to keep the above documentation on site.

In a recent ruling, the Ninth Circuit Court of Appeals invalidated the exemption granted by USEPA for storm water discharges from facilities in Category 11 that do not have exposure and remanded the regulation to USEPA for further action. The State Water Board, at this time, is not requiring storm water discharges from facilities in Category 11 that do not have exposure to be covered by this general permit. Instead, the State Water Board will await future USEPA or court action clarifying the types of storm water discharges that must be permitted. If necessary, the State Water Board will reopen the general permit to accommodate such a clarification.

TYPES OF DISCHARGES NOT COVERED BY THIS GENERAL PERMIT

- o CONSTRUCTION ACTIVITY: Discharges from construction activity of five acres or more, including clearing, grading and excavation. A separate general permit was adopted on August 20, 1992 for this industrial category.
- o FACILITIES LOCATED IN SANTA CLARA COUNTY WHICH DRAIN TO SAN FRANCISCO BAY: The San Francisco Bay Regional Water Board has adopted a general permit for discharges from facilities located in Santa Clara County which drain to San Francisco Bay.
- o FACILITIES COVERED BY INDIVIDUAL PERMITS: While it is the intent of the State Water Board, in order to reduce administrative burden, to regulate most discharges of industrial storm water by this general permit, dischargers may choose to apply for an individual NPDES Permit. Permit application requirements are set forth in the USEPA regulations at 40 CFR Section 122.21.
- o FACILITIES WHICH HAVE NPDES PERMITS CONTAINING STORM WATER PROVISIONS: The NPDES permits for some industrial waste water discharges already contain requirements regulating storm water. These discharges are in compliance with storm water regulations and will not be regulated by this general permit. When the existing permit for such discharges expires, a Regional Water Board may authorize coverage under this permit, or another general permit, or issue a new permit consistent with the new federal and State storm water requirements.

- o **FACILITIES DETERMINED INELIGIBLE BY REGIONAL WATER BOARDS:** Regional Water Boards may determine that discharges from a facility or groups of facilities, otherwise eligible for coverage under this general permit, have potential water quality impacts that may not be addressed by this general permit. In such cases, a Regional Water Board may require such dischargers to apply for and obtain an individual permit or a different general permit. Interested persons may petition the appropriate Regional Water Board to issue individual permits. The applicability of this general permit to such discharges will be terminated upon adoption of an individual permit or a different general permit.
- o **FACILITIES WHICH DO NOT DISCHARGE STORM WATER TO WATERS OF THE UNITED STATES:** The discharges from the following facilities are not required to obtain a permit:
  1. **FACILITIES THAT DISCHARGE STORM WATER TO MUNICIPAL SANITARY SEWER SYSTEMS:** Facilities that discharge storm water to municipal sanitary sewer systems or combined sewer systems are not required by federal regulations to obtain a storm water permit or to submit a NOI to comply with this general permit. (It should be noted that many municipalities have sewer use ordinances that prohibit storm drain connections to their sanitary sewers.)
  2. **FACILITIES THAT DO NOT DISCHARGE STORM WATER TO SURFACE WATERS OR SEPARATE STORM SEWERS:** Dischargers that capture all industrial storm water runoff from their facilities and treat and/or dispose of it with their process waste water, and dischargers that dispose of their industrial storm water to evaporation ponds, percolation ponds, or combined sewer systems, are not required to obtain a storm water permit. To avoid liability, the discharger should be certain that a discharge of industrial storm water to surface waters will not occur under any circumstances.
- o **LOGGING ACTIVITIES:** Logging activities described under SIC 2411.
- o **MINING AND OIL AND GAS FACILITIES:** Oil and gas facilities that have not released storm water resulting in a discharge of a reportable quantity (RQ) for which notification is or was required pursuant to 40 CFR Parts 110, 117, and 302 at any time after November 19, 1988 are not required to be permitted unless the industrial storm water discharge contributed to a violation of a water quality standard. Mining facilities that discharge storm water that does not come into contact with any overburden, raw materials, intermediate product, finished product, by-product, or waste product located at the facility are not required to be permitted. These facilities must obtain a storm water permit if they have a new release of storm water resulting in a discharge of a RQ.
- o **FACILITIES ON INDIAN LANDS:** Discharges from facilities on Indian lands will be regulated by the USEPA.

**NOTIFICATION REQUIREMENTS**

Dischargers of facilities described in the section entitled "Types of Storm Water Discharges Covered by This General Permit", must obtain a permit to discharge storm water. A NOI must be submitted for each individual facility to obtain coverage. Certification of the NOI signifies that the discharger intends to comply with the provisions of the general permit.

Dischargers that do not submit a NOI for facilities must submit an application for an individual permit. USEPA's regulations (40 CFR 122.21 [a]) exclude dischargers covered by a general permit from requirements to submit permit applications. The NOI requirements of this general permit are intended to establish a mechanism which can be used to establish a clear accounting of the number of dischargers complying with the general permit, their identities, the nature of operations at the facilities, and location.

Dischargers of existing facilities in California were required to obtain coverage by submitting a completed NOI no later than March 30, 1992. Dischargers of new facilities (those beginning operations after March 30, 1992) must submit a NOI 30 days prior to the beginning of operations. The NOI must be sent to the following address:

California State Water Resources Control Board  
Division of Water Quality  
P. O. Box 1977  
Sacramento, CA 95812-1977  
Attention: Storm Water Permitting Unit

Facilities that do not obtain coverage under this general permit or by an individual NPDES permit for a discharge of industrial storm water, by the appropriate deadlines, will be in violation of the Clean Water Act and the California Water Code. There are substantial penalties which can be pursued by the State or Regional Water Boards, USEPA, or by private citizens for violation of these laws. Facilities that miss the appropriate deadlines for filing their NOIs may file their NOIs late but will be in violation for the period they were late. In general, late filers should develop and implement their SWPPP and Monitoring Plan no more than 30 days following submittal of their late NOI. Dischargers that cannot develop and implement these plans within 30 days should notify the appropriate Regional Water Board.

#### DESCRIPTION OF GENERAL PERMIT CONDITIONS

##### Prohibitions

This general permit authorizes the discharge of industrial storm water from industrial facilities that are required to obtain industrial storm water permits. This general permit prohibits most non-storm water discharges (including illicit connections) and discharges containing hazardous substances in storm water in excess of reportable quantities established at 40 CFR 117.3 and 40 CFR 302.4. Allowable non-storm water discharges are discussed below under the heading Storm Water Pollution Prevention Plan (SWPPP).

##### Effluent Limitations

Permits for discharges of industrial storm water must meet all applicable provisions of Sections 301 and 402 of the CWA. These provisions require control of pollutant discharges that use best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants, and any more stringent controls necessary to meet water quality standards.

USEPA regulations (40 CFR Subchapter N) establish numeric effluent limitations for storm water discharges from facilities in ten industrial categories. For these facilities, the numeric effluent limitations constitute BAT and BCT for the specified pollutants, and must be met to comply with this general permit.

For storm water discharges from facilities not among the ten industrial categories listed in 40 CFR Subchapter N, it is not feasible at this time to establish numeric effluent limitations. The reasons why establishment of numeric effluent limitations is not feasible are discussed in detail in State Water Board Orders No. WQ 91-03 and WQ 91-04. Therefore, the effluent limitations contained in this general permit are narrative and include best management practices (BMPs).

These effluent limitations constitute compliance with the requirements of the Clean Water Act.

The narrative effluent limitations in this general permit include prohibitions against most discharges of non-storm water. They require dischargers to control and eliminate the sources of pollutants in storm water through the development and implementation of storm water pollution prevention plans. The plans must include

best management practices, which may include treatment of storm water discharges along with source reduction, which will constitute BAT and BCT and will achieve compliance with water quality standards. If water quality standards are not met, the appropriate Regional Water Board may specify any additional effluent limitations necessary to meet the specific standards.

#### Storm Water Pollution Prevention Plans (SWPPP)

This general permit requires development and implementation of SWPPP emphasizing storm water BMPs. This approach provides the flexibility necessary to establish controls which can appropriately address different sources of pollutants at different facilities. Existing dischargers must develop and implement a SWPPP by October 1, 1992. New dischargers must submit a NOI, and develop and implement a SWPPP prior to commencement of operations.

All dischargers must prepare, retain on site, and implement a SWPPP. The SWPPP has two major objectives: (1) to help identify the sources of pollution that affect the quality of industrial storm water discharges; and (2) to describe and ensure the implementation of practices to reduce pollutants in industrial storm water discharges.

The SWPPPs are considered reports available to the public under Section 308(b) of the Clean Water Act. Required elements of a SWPPP are: (1) source identification, (2) practices to reduce pollutants, (3) an assessment of potential pollution sources, (4) a materials inventory, (5) a preventive maintenance program, (6) spill prevention and response procedures, (7) general storm water management practices, (8) employee training, (9) recordkeeping, and (10) elimination of unpermitted non-storm water discharges to the industrial storm water system. Elimination of non-storm water discharges is a major element of the SWPPP. Non-storm water discharges include a wide variety of sources including illicit connections (i.e., floor drains), improper dumping, spills, or leakage from storage tanks or transfer areas. Non-storm water discharges can contribute a significant pollutant load to receiving waters. Measures to control spills, leakage, and dumping can often be addressed through BMPs. Non-storm water discharges and industrial storm water mixed with non-storm water prior to discharge should be covered by a separate NPDES Permit.

There are many discharges that may occur at a facility that are not related to industrial activity (i.e., air conditioning condensate, fire control water line testing, landscaping overflow, etc.). It is not the intent of this Permit to prohibit all non-industrial-related discharges. Non-industrial-related discharges may be appropriate if they:

1. Are not subject to local Regional Water Board permitting requirements.
2. Do not contain significant quantities of industrial-related pollutants.
3. Are infeasible to eliminate.
4. Are identified and addressed in the SWPPP and monitoring program.
5. Are in compliance with local municipal storm water permit requirements.

#### Monitoring Program

The general permit requires development and implementation of a monitoring program. Existing dischargers must develop and implement a monitoring program by January 1, 1993. New dischargers must develop and implement a monitoring program prior to commencement of operations, but no earlier than January 1, 1993. The objectives of the monitoring program are to (1) demonstrate compliance with the permit, (2) aid in the implementation of the SWPPP, and (3) measure the effectiveness of the BMPs in removing pollutants in industrial storm water discharge.

All dischargers (with the exception of inactive mining operations) are required to:

1. Perform visual observations during the dry and wet seasons. Dry season observations are required to verify that non-storm water discharges have been eliminated. Wet season observations are required to aid dischargers in evaluating the effectiveness of the SWPPP.
2. Conduct an annual inspection to determine compliance with this general permit.
3. Perform or participate in a sampling and analysis program. Analysis must include pH, total suspended solids (TSS), total organic carbon (TOC), specific conductance, toxic substances, and other pollutants which are likely to be present in storm water discharges in significant quantities. Dischargers subject to federal storm water effluent limitations guidelines in 40 CFR Subchapter N must also sample and analyze for any pollutant specified in the appropriate category of 40 CFR Subchapter N.

Dischargers are not required to collect samples or perform visual observations during adverse climatic conditions. Sample collection and visual observations are required only during scheduled facility operating hours or within two hours after scheduled facility operating hours. Visual observations are required only during daylight hours. Dischargers that are unable to collect any of the required samples or visual observations because of the above circumstances must provide documentation to the Regional Water Board in their annual report.

Dischargers may be exempt from performing sampling and analysis if they: (1) do not have areas of industrial activity exposed to storm water, (2) receive certification from a local agency which has jurisdiction over the storm sewer system that the discharger has developed and implemented an effective SWPPP and should not be required to sample, or (3) receive an exemption from the appropriate Regional Water Board. Dischargers must always perform sampling and analysis for any pollutant specified in storm water effluent limitations guidelines.

Local agencies that wish to provide certifications to dischargers within their jurisdiction should develop a certification program that clearly indicates the certification procedures and criteria used by the local agency. At a minimum, these programs should include site inspections, a review of the dischargers' SWPPP, and a review of other records such as monitoring data, receiving water data, etc. It is recommended that the certification program be sent to the local Regional Water Board for review and comment prior to implementation.

#### Group Monitoring

Each discharger may either perform sampling and analysis individually or participate in a group sampling program. A group monitoring program may be developed either by an entity representing a group of similar facilities or by a local agency which holds a storm water permit for a municipal separate storm sewer system, for industrial facilities within its jurisdiction. The entity or local agency responsible for the group monitoring program must perform sampling at a minimum of 20 percent of the facilities within the group (and at least four dischargers in a group of less than 20 dischargers). The facilities selected for sampling must be representative of all the facilities in the group. Dischargers subject to federal effluent limitations guidelines in 40 CFR Subchapter N must individually sample and analyze for pollutants listed in the appropriate federal regulations.

Facilities within a group may be located within the jurisdiction of more than one Regional Water Board. Multi-Regional Water Board groups must receive the approval of the State Water Board Executive Director (with the concurrence of the appropriate Regional Water Boards). Groups may request variance from the minimum 20 percent (and a minimum of four facilities for groups of less than 20 dischargers) with adequate justification. As a minimum, the justification should: (1) explain the need for the variance, and (2) show that the variance, if approved, will result in representative monitoring data.

Each entity or local agency responsible for group sampling must: (1) ensure that the monitoring is done correctly, (2) recommend appropriate BMPs to reduce pollutants in storm water discharges from group participants, and (3) evaluate and report the monitoring data to the appropriate Regional Water Board(s).

All group monitoring plans are subject to Regional Water Board(s) review. Consistent with the four-tier permitting strategy described in the federal regulations, the Regional Water Board(s) will evaluate the data and results from group monitoring to establish future permitting decisions. As appropriate, Regional Water Board(s) may terminate or require substantial amendment to the group monitoring plans, dependent, in part, on the group's overall success in meeting the objectives of the Permit.

The State Water Board recognizes that the group monitoring option will result in fewer facilities monitored. The State Water Board believes that this is a desirable trade-off for the following reasons:

1. Review of monitoring data from all individual facilities is administratively burdensome.
2. Monitoring of fewer facilities, but with more parameters and better quality control, will result in more accurate and meaningful monitoring data.
3. Group monitoring is consistent with USEPA's four-tier permitting strategy.
4. As no numeric limits are specified in the Permit (with the exception of 40 CFR Subchapter N facilities), implementation of a SWPPP, performance of visual monitoring, and performance of an annual inspection are consistent with the minimum monitoring requirements of the CWA.
5. Data from group monitoring programs will be indicative of the effectiveness of BMPs to control pollution in storm water discharge. Additional BMPs, useful to the entire group, may be developed from the monitoring data.
6. A large percentage of dischargers are small businesses which do not have the regulatory sophistication, organizational structure, or resources to conduct an adequate individual monitoring program.

#### Retention of Records

The discharger is required to retain records of all monitoring information, copies of all reports required by this permit, and records of all data used to complete the NOI, for a period of five years from the date of measurement, report, or application. This period may be extended by the State and/or Regional Water Boards. All records are public documents.

STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD)  
WATER QUALITY ORDER NO. 91-13-DWQ (AS AMENDED BY WATER QUALITY ORDER NO. 92-12-DWQ)  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
GENERAL PERMIT NO. CAS000001

WASTE DISCHARGE REQUIREMENTS (WDRS)  
FOR  
DISCHARGES OF STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES  
EXCLUDING CONSTRUCTION ACTIVITIES

The State Water Board finds that:

1. Federal regulations for storm water discharges were issued by the U.S. Environmental Protection Agency on November 16, 1990 (40 Code of Federal Regulations (CFR) Parts 122, 123, and 124). The regulations require specific categories of facilities, which discharge storm water associated with industrial activity (storm water), to obtain a NPDES permit and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate industrial storm water pollution.
2. This general permit shall regulate discharges of storm water from specific categories of industrial facilities identified in Attachment 1, excluding discharges covered by existing NPDES permits which already include provisions regulating discharges of storm water, discharges from construction activities, or discharges determined ineligible for coverage by this general permit by the California Regional Water Quality Control Boards (Regional Water Boards). Attachment 2 contains the addresses and telephone numbers of each Regional Water Board office.
3. All dischargers participating in group applications must either obtain coverage under this general permit or apply for an individual general permit by October 1, 1992. The State Water Board has elected not to accept USEPA's group application approach or to adopt general permits for industrial groups at this time.
4. This general permit does not preempt or supersede the authority of local agencies to prohibit, restrict, or control discharges of storm water to storm drain systems or other watercourses within their jurisdictions, as allowed by State and federal law.
5. To obtain authorization for continued and future storm water discharge pursuant to this general permit, owners, or operators when the owners does not operate the facility (dischargers), must submit a Notice of Intent (NOI) and appropriate fee to the State Water Board. Dischargers who submit a NOI and appropriate fee are authorized to discharge storm water under the terms and conditions of this general permit.
6. If an individual NPDES general permit is issued to a discharger otherwise subject to this general permit, or an alternative general permit is subsequently adopted which covers storm water discharges regulated by this general permit, the applicability of this general permit to such discharges is automatically terminated on the effective date of the individual general permit or the date of approval for coverage under the subsequent general permit.
7. Effluent limitations, and toxic and effluent standards established in Sections 208(b), 301, 302, 303(d), 304, 306, 307, and 403 of the Federal Clean Water Act (CWA), as amended, are applicable to storm water discharges regulated by this general permit.
8. This action to adopt a NPDES general permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.), in accordance with Section 13389 of the California Water Code.

9. The State Water Board adopted the California Ocean Plan on March 22, 1990, and the California Inland Surface Waters Plan and Enclosed Bays and Estuaries Plan on April 11, 1991. In addition, the Regional Water Boards have adopted and the State Water Board has approved Water Quality Control Plans (Basin Plans).

Discharges regulated by this general permit must be in compliance with the water quality standards in these Plans, and subsequent amendments thereto. The State Water Board shall, by April 1996, determine what further actions are appropriate to ensure that discharges subject to this general permit are in compliance with the numerical objectives in the Inland Surface Waters Plan and the Enclosed Bays and Estuaries Plan.

10. Federal regulations (40 CFR Subchapter N) establish numeric effluent limitations for storm water discharges from facilities in ten industrial categories.
11. For facilities which do not have established numeric effluent limitations for storm water discharges in 40 CFR Subchapter N, it is not feasible at this time to establish numeric effluent limitations. This is due to the large number of discharges and the complex nature of storm water discharges.
12. Implementation of the provisions of this general permit constitutes compliance with BAT/BCT requirements, and with requirements to achieve water quality standards.
13. Best Management Practices (BMPs) to control and abate the discharge of pollutants in storm water discharges are authorized where numeric effluent limits are infeasible and the BMPs are reasonably necessary to achieve compliance with effluent limitations or water quality standards.
14. Following adoption of this general permit, the Regional Water Boards shall enforce the provisions of this general permit including the monitoring and reporting requirements.
15. Following public notice in accordance with State and Federal law and regulations, the State Water Board, in a public hearing held September 3, 1991, heard, considered, and responded to all comments pertaining to this general permit.
16. This Order is a NPDES general permit in compliance with Section 402 of the Clean Water Act and shall take effect upon adoption by the State Water Board.

IT IS HEREBY ORDERED that all dischargers that file a NOI indicating their intention to be regulated under the provisions of this general permit shall comply with the following:

A. DISCHARGE PROHIBITIONS:

1. Discharges of material other than storm water, which are not otherwise regulated by a NPDES permit, to a storm sewer system or waters of the nation are prohibited.
2. Storm water discharges for those facilities listed in Category I of Attachment 1 of this general permit shall not exceed the numeric effluent limitations as specified in Federal Regulations (40 CFR Subchapter N). Dischargers subject to those regulations who do not have or are unable to obtain copies of the pertinent regulations from other sources (e.g., Government Printing Office) should contact the:

State Water Resources Control Board  
Division of Water Quality  
P.O. Box 1977  
Sacramento, CA 95812-1977  
Attn: Storm Water Permitting Unit

3. Storm water discharges shall not cause or threaten to cause pollution, contamination, or nuisance.
4. Storm water discharges regulated by this general permit shall not contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.

B. RECEIVING WATER LIMITATIONS:

1. Storm water discharges to any surface or ground water shall not adversely impact human health or the environment.
2. Storm water discharges shall not cause or contribute to a violation of any applicable water quality standards contained in the California Ocean Plan, Inland Surface Waters Plan, Enclosed Bays and Estuaries Plan, or the applicable Regional Water Boards' Basin Plan.

C. PROVISIONS

1. All dischargers must submit an NOI and appropriate fee for each facility covered by this general permit in accordance with Attachment 3: Notice of Intent--General Instructions.
2. All dischargers must develop and implement a Storm Water Pollution Prevention Plan for each facility covered by this general permit in accordance with Section A: Storm Water Pollution Prevention Plan.
3. All dischargers must develop and implement a Monitoring and Reporting Program Plan for each facility covered by this general permit in accordance with Section B: Monitoring Program and Reporting Requirements.
4. Feedlots as defined in 40 CFR Part 412 that are in full compliance with Section 2560 to Section 2565, Title 23, California Code of Regulations (Chapter 15) will be in compliance with all effluent limitations and prohibitions contained in this general permit. Feedlots must comply with any Regional Water Board WDRs or NPDES general permit regulating their storm water discharge. Feedlots that comply with Chapter 15, however, must perform monitoring in compliance with the requirements of Provisions 5(c) and 16 of Section B: Monitoring Program and Reporting Requirements.
5. All dischargers must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to storm drain systems or other water courses under their jurisdiction, including applicable requirements in municipal storm water management programs developed to comply with NPDES general permits issued by the Regional Water Boards to local agencies.
6. All dischargers must comply with the standard provisions and reporting requirements for each facility covered by this general permit contained in Section C: Standard Provisions.
7. This general permit will expire on November 19, 1996. Upon reissuance of the NPDES general permit by the State Water Board, the facilities subject to this reissued general permit are required to file a revised NOI.

D. REGIONAL WATER BOARD AUTHORITIES

1. Following adoption of this general permit, Regional Water Boards shall:
  - (a) Implement the provisions of this general permit, including, but not limited to, reviewing storm water pollution prevention plans, reviewing group monitoring plans, reviewing monitoring reports, conducting compliance inspections, and taking enforcement actions.

- (b) Issue general permits as they deem appropriate to individual dischargers, categories of dischargers, or dischargers in a geographic area. Upon issuance of such general permits by a Regional Water Board, the affected dischargers shall no longer be regulated by this general permit. The new general permits may address additional storm water pollution prevention plan requirements, more stringent effluent limitations, or additional monitoring and reporting program requirements.
2. Regional Water Boards may provide guidance to dischargers on Storm Water Pollution Prevention Plan and Monitoring Program implementation.

CERTIFICATION

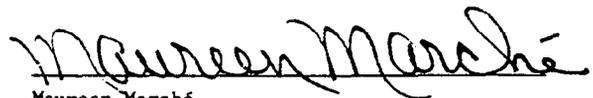
The undersigned, Administrative Assistant to the State Water Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 19, 1991 (as amended by Water Quality Order No. 92-12-DWQ).

AYE: W. Don Maughan  
Edwin H. Finster  
Eliseo M. Samaniego  
John P. Caffrey

NO: None

ABSENT: None

ABSTAIN: None



Maureen Marché

Administrative Assistant to the Board

Section A: STORM WATER POLLUTION PREVENTION PLAN

1. A storm water pollution prevention plan (SWPPP) shall be developed and implemented for each facility covered by this general permit. The SWPPP shall be designed to comply with BAT/BCT and be certified in accordance with the signatory requirements of Standard Provision C.9. For existing facilities (and new facilities beginning operations before October 1, 1992), a SWPPP shall be developed and implemented no later than October 1, 1992. For facilities beginning operations after October 1, 1992, a SWPPP shall be developed prior to submitting a NOI and implemented when the facility begins operations. The SWPPP shall be retained onsite and made available upon request of a representative of the Regional Water Board and/or local storm water management agency (local agency) which receives the storm water discharge.
2. The Regional Water Board and/or local agency may notify the discharger when the SWPPP does not meet one or more of the minimum requirements of this Section. Within 30 days of notice, the discharger shall submit a time schedule that meets the minimum requirements of this section to the Regional Water Board and/or local agency that requested the changes. After making the required changes, the discharger shall provide written certification that the changes have been made.
3. The discharger shall amend the SWPPP whenever there is a change in construction, operation, or maintenance which may effect the discharge of significant quantities of pollutants to surface water, ground waters, or the local agency's storm drain system. The SWPPP should also be amended if it is in violation of any conditions of this general permit, or has not achieved the general objectives of controlling pollutants in storm water discharges.
4. The SWPPP shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from the facility. The SWPPP shall include, at a minimum, the following items:
  - a. A map extending approximately one-quarter mile beyond the property boundaries of the facility, showing: the facility, general topography surface water bodies (including known springs and wells), and the discharge point where the facility's storm water discharges to a municipal storm drain system or other water body. The requirements of this paragraph may be included in the site map required under the following paragraph if appropriate.
  - b. A site map showing:
    - i. The storm water conveyance and discharge structures;
    - ii. An outline of the storm water drainage areas for each storm water discharge point;
    - iii. Paved areas and buildings;
    - iv. Areas of pollutant contact, actual or potential;
    - v. Location of existing storm water structural control measures (i.e., berms, coverings, etc.);
    - vi. Surface water locations;
    - vii. Areas of existing and potential soil erosion; and
    - viii. Vehicle service areas.

- c. A narrative description of the following:
    - i. Significant materials that have been treated, stored, disposed, spilled, or leaked in significant quantities in storm water discharge after November 19, 1988;
    - ii. Materials, equipment, and vehicle management practices employed to minimize contact of significant materials with storm water discharge;
    - iii. Material loading, unloading, and access areas;
    - iv. Existing structural and non-structural control measures (if any) to reduce pollutants in storm water discharge;
    - v. Industrial storm water discharge treatment facilities (if any);
    - vi. Methods of on-site storage and disposal of significant materials; and
    - vii. Outdoor storage, manufacturing, and processing activities including activities that generate significant quantities of dust or particulates.
  - d. A list of pollutants that are likely to be present in storm water discharge in significant quantities, and an estimate of the annual quantities of these pollutants in storm water discharge.
  - e. An estimate of the size of the facility (in acres or square feet), and the percent of the facility that has impervious areas (i.e., pavement, buildings, etc.).
  - f. A list of significant spills or leaks of toxic or hazardous pollutants to storm water that have occurred after November 19, 1988. This shall include:
    - i. Toxic chemicals (listed in 40 CFR Part 372) that have been discharged to storm water as reported on USEPA Form R.
    - ii. Oil or hazardous substances in excess of reportable quantities (see 40 CFR Part 110, 117 or 302).
  - g. A summary of existing sampling data (if any) describing pollutants in storm water discharge.
5. The SWPPP shall describe the storm water management controls appropriate for the facility. The appropriate controls shall reflect identified potential sources of pollutants at the facility. The description of the storm water management controls shall include:
- a. Storm Water Pollution Prevention Personnel. Identify specific individuals (and job titles) who are responsible for developing, implementing, and revising the SWPPP.
  - b. Preventive Maintenance. Preventive maintenance involves inspection and maintenance of storm water conveyance system devices (i.e., oil/water separators, catch basins, etc.) and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.
  - c. Good Housekeeping. Good housekeeping requires the maintenance of clean, orderly facility areas that discharge storm water. Material handling areas shall be inspected and cleaned to reduce the potential for pollutants to enter the storm water conveyance system.

- d. Spill Prevention and Response. Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems and their accompanying drainage points. Specific material handling procedures, storage requirements, and clean-up equipment and procedures should be identified, as appropriate. Internal reporting procedures for spills of significant materials shall be established.
  - e. Storm Water Management Practices. Storm water management practices are practices other than those which control the source of pollutants. They include measures such as installing oil and grit separators, diverting storm water into retention basins, etc. Based on assessment of the potential of various sources to contribute pollutants to storm water discharges in significant quantities, additional storm water management practices to remove pollutants from storm water discharge shall be implemented.
  - f. Erosion and Sediment Controls. The SWPPP shall identify measures to reduce sediment in storm water discharges.
  - g. Employee Training. Employee training programs shall inform all personnel responsible for implementing the SWPPP. Training should address spill response, good housekeeping, and material management practices. Periodic dates for training should be identified.
  - h. Inspections. All inspections, visual observations and sampling as required by Section B, shall be done by trained personnel. A tracking or follow-up procedure shall be used to ensure appropriate response has been taken in response to these activities.
6. Non-storm water discharges to storm water conveyance systems shall be eliminated prior to implementation of this SWPPP. The SWPPP shall include a certification that non-storm water discharges have been eliminated and a description of any tests for the presence of non-storm water discharges, the methods used, the dates of the testing, and any onsite drainage points that were observed during the testing. Such certification may not always be feasible if the discharger a) must make significant structural changes to eliminate the discharge of non-storm water discharges to the industrial storm water conveyance system, or b) has applied for, but not yet received, an NPDES general permit for the non-storm water discharges. In such cases, the discharger must notify the appropriate Regional Water Board prior to implementation of the SWPPP that non-storm water discharges cannot be eliminated. The notification shall include justification for a time extension and a schedule, subject to modification by the Regional Water Board, indicating when non-storm water discharges will be eliminated. In no case shall the elimination of non-storm water discharges exceed three years from the NOI submittal date.
  7. The SWPPP may incorporate, by reference, the appropriate elements of other program requirements (i.e., Spill Prevention Control and Countermeasures (SPCC) plans under Section 311 of the CWA, Best Management Programs under 40 CFR 125.100, etc.).
  8. The SWPPP is considered a report that shall be available to the public under Section 308(b) of the CWA.
  9. The SWPPP shall include the signature and title of the person responsible for preparation of the SWPPP and include the date of initial preparation and each amendment, thereto.

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Section B: MONITORING PROGRAM AND REPORTING REQUIREMENTS

[Note: This Section was modified by Order No. 92-12-DWQ adopted by the State Water Board on September 17, 1992.]

1. Implementation

A monitoring program shall be developed and implemented for each facility covered by this general permit. It shall be certified in accordance with the signatory requirements contained in Standard Provision C.9. A description of the monitoring program shall be retained on site and made available upon request of a representative of the Regional Water Board and/or local agency which receives the storm water discharge.

2. Schedule

For existing facilities (and new facilities beginning operations before January 1, 1993), a monitoring program must be developed and implemented no later than January 1, 1993. For facilities beginning operations after January 1, 1993, a monitoring program shall be developed and implemented concurrent with commencement of industrial activities.

3. Objectives

The monitoring program shall be developed and amended, when necessary, to meet the following objectives:

- a. Ensure that storm water discharges are in compliance with the Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations specified in this general permit.
- b. Ensure practices at the facility to control pollutants in storm water discharges are evaluated and revised to meet changing conditions.
- c. Aid in the implementation of the Storm Water Pollution Prevention Plan required by Section A of this general permit.
- d. Measure the effectiveness of best management practices (BMPs) in removing pollutants in storm water discharge.

4. General Requirements for Monitoring Programs

The monitoring program shall contain:

- a. Rationale for selection of monitoring methods.
- b. Identification of the analytical methods to detect pollutants in storm water discharge.
- c. Description of the sampling methods, sampling locations, and frequency of monitoring.
- d. A quality assurance/quality control program to assure that:
  - i. All elements of the monitoring program are conducted; and
  - ii. All monitoring is conducted by trained personnel.
- e. Procedures and schedules by which the effectiveness of the monitoring program in achieving the objectives above can be evaluated.

5. Specific Requirements for Monitoring Programs

The monitoring program shall document the elimination or reduction of specific pollutants, resulting from the implementation of the SWPPP required by Section A of this general permit.

a. Annual Site Inspection

Except for certain inactive mining operations (See Section B.8), all dischargers shall:

- i. Conduct a minimum annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity and to evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly implemented in accordance with the terms of the general permit or whether additional control measures are needed. A record of the annual inspection must include the date of the inspection, the individual(s) who performed the inspection, and the observations.
- ii. Certify, based on the annual site inspection, that the facility is in compliance with the requirements of this general permit and its SWPPP. The certification and inspection records must be signed and certified in accordance with Standard Provisions 9 and 10 of Section C of this general permit. Any noncompliance shall be reported in accordance with Section B.17.

b. Dry Season Observations

No less than twice during the dry season (May through September), all dischargers shall observe and/or test for the presence of non-storm water discharges at all storm water discharge locations. At minimum, all dischargers shall conduct visual observations of flows to determine the presence of stains, sludges, odors, and other abnormal conditions. Dye tests, TV line surveys, and/or analysis and validation of accurate piping schematics may be conducted if appropriate. Records shall be maintained of the description of the method used, date of testing, locations observed, and test results.

c. Wet Season Visual Observations

During the wet season (October through April), all dischargers shall conduct visual observations of all storm water discharge locations during the first hour of one storm event per month that produces significant storm water discharge<sup>1/</sup> to observe the presence of floating and suspended materials, oil and grease, discolorations, turbidity, and odor, etc. Feedlots (subject to federal effluent limitations guidelines in 40 CFR Part 412) that are in compliance with Sections 2560 to 2565, Article 6, Chapter 15, Title 23, California Code of Regulations, shall, instead, conduct monthly inspections of their containment facilities to detect leaks and ensure maintenance of adequate freeboard.

d. Sampling and Analysis

During the wet season (October through April), dischargers (unless exempted per Section B.9 below) shall collect and analyze samples of storm water discharge from at least one storm event during the 1992/93 wet season and two storm events during each subsequent wet season which produce significant storm water discharge. The samples should be analyzed for:

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<sup>1/</sup> "Significant storm water discharge" is a continuous discharge of storm water for approximately one hour or more.

- i. pH, total suspended solids (TSS), specific conductance, and total organic carbon (TOC). Oil and grease (O&G) may be substituted for TOC; and
- ii. Toxic chemicals and other pollutants that are likely to be present in storm water discharge in significant quantities.

6. Toxic Pollutant Analysis Reduction

Samples shall be analyzed for toxic chemicals and other pollutants as identified in Sections B.5.d.ii for at least two consecutive sampling events. If toxic chemicals or other pollutants are not detected in significant quantities after two consecutive sampling events, the facility may eliminate that toxic chemical or pollutant from future sampling events. A discharger may analyze for alternative representative parameters (e.g., whole effluent toxicity) as a substitute for the toxic chemicals and other pollutants identified in Section B.5.d.ii as long as the discharger submits the alternative monitoring procedures and justification to the appropriate Regional Water Board prior to use. Unless otherwise instructed by the Regional Water Board, dischargers may use the alternative monitoring procedures submitted.

7. Facilities Subject to Federal Storm Water Effluent Limitations Guidelines

Facilities subject to federal storm water effluent limitations guidelines are defined in Attachment 1 of the general permit. In addition to the requirements in Section B.5 above, these facilities must collect and analyze samples of storm water discharge from at least one storm event during the 1992/93 wet season and two storm events during each subsequent wet season which produce significant storm water discharge.

- a. Analyze for any pollutant specified in the appropriate category of 40 CFR Subchapter N;
- b. Estimate or calculate the volume of effluent discharged from each outfall;
- c. Estimate or calculate the mass of each regulated pollutant as defined in the appropriate category of 40 CFR Subchapter N; and
- d. Identify the individual(s) performing the estimates or calculations in accordance with Subsections b and c above.

8. Inactive Mining Operations

Inactive mining operations are defined in Attachment 1 of this general permit. Where annual facility inspections, wet season visual observations, dry season observations, and sampling as required by Section B.5 are impracticable, inactive mining operations may instead obtain certification once every three years by a Registered Professional Engineer that a SWPPP has been prepared for the facility and is being implemented in accordance with the requirements of this general permit. By means of these certifications, the engineer, having examined the facility and being familiar with the provisions of this general permit, shall attest to the SWPPP which has been prepared in accordance with good engineering practices. Dischargers which cannot obtain a certification because of noncompliance must notify the appropriate Regional Water Board and, upon request, the local agency which receives the storm water discharge in accordance with Section B.17.

9. Sampling and Analysis Exemptions

A discharger is not required to collect and analyze samples in accordance with Section B.5.d if the discharger certifies that the facility meets all of the conditions set forth below in Section B.9.a, if the discharger obtains the local agency certification described in Section B.9.b, or if the discharger obtains a Regional Water Board exemption as described in Section B.9.d. A discharger who is not required to comply with Section B.5.d monitoring requirements is still required to comply with all other monitoring program and reporting requirements. If exempted from Section B.5.d monitoring requirements, dischargers subject to federal storm water effluent guidelines in 40 CFR Subchapter N must still comply with the provisions of Section B.7 above.

a. Self-Certification

The certification must state that areas of industrial activity are not exposed to storm water, including manufacturing, processing, and material handling areas and areas where material handling equipment, raw materials, intermediate products, final products, waste materials, byproducts, and industrial machinery are stored. (See definition of "storm water associated with industrial activity" in Attachment 4 to this general permit.) Exposure includes both direct contact with storm water and the possible release of industrial pollutants into storm water (e.g., spills or leaks). In order to demonstrate that these areas are not exposed to storm water, the following minimum conditions must be met:

- i. All illicit (unpermitted) connections to the storm drainage system are eliminated;
- ii. All materials must be completely contained at all times;
- iii. All unoused equipment associated with industrial activity is not exposed to storm water; and
- iv. All emissions from stacks or air exhaust systems and emission of dust or particulates do not contribute significant quantities of pollutants to storm water discharge.

b. Certification by Local Agency

A local agency which has jurisdiction over the storm sewer system or other water course which receives storm water discharge from the discharger's facility has certified in writing that the discharger has developed and implemented an effective Storm Water Pollution Prevention Plan and should not be required to collect and analyze storm water samples for pollutants.

c. Submittal of Sampling Exemption Certifications

Dischargers must submit sampling exemption certifications to the appropriate Regional Water Board by December 1, 1992 for the 1992-93 wet season and by August 1 for subsequent years. Unless otherwise instructed by the Regional Water Boards, dischargers who file a sampling exemption certification are exempt from Section B.5.d.

d. Exemptions by Regional Water Board

A Regional Water Board may grant an exemption to Section B.5.d monitoring requirements if it determines that a discharger has developed and implemented an effective Storm Water Pollution Prevention Plan and should not be required to collect and analyze storm water samples for pollutants.

10. Group Monitoring

Group monitoring may be done in accordance with the following requirements:

- a. A group monitoring plan may be designed and implemented by an entity representing a similar group of dischargers (entity) regulated by this general permit or by a local agency which holds a NPDES general permit (local agency permittee) for a municipal separate storm sewer system. Participants in a group monitoring plan may discharge storm water within the boundaries of a single Regional Water Board or within the boundaries of multiple Regional Water Boards (with State Water Board approval).
- b. At least 20 percent of the dischargers who are members of a group (and at least 4 dischargers in a group of less than 20 dischargers) must collect and analyze samples in accordance with Section B.5.d. The entity or local agency permittee may request that fewer member dischargers be allowed to collect and analyze, but reasons for this exception must be stated in the group monitoring plan (Section B.10.a.v.). The entity or the local agency permittee shall select facilities from which samples are collected and analyzed which best represent the overall quality of the group members' storm water discharges.
- c. The entity or the local agency permittee must have the authority to levy fees against the participating dischargers in the group or be able to otherwise pay for the implementation of the group monitoring plan.
- d. The entity or the local agency permittee is responsible for:
  - i. Developing and implementing the group monitoring plan;
  - ii. Evaluating and reporting group monitoring data;
  - iii. Recommending appropriate BMPs to reduce pollutants in storm water discharges;
  - iv. Submitting a group monitoring plan to the appropriate Regional Water Board(s) and State Water Board, no later than December 1, 1992 and August 1 in subsequent years; and
  - v. Revising the group monitoring plan as instructed by the Regional Water Board or the State Water Board Executive Director.
- e. The group monitoring plan shall:
  - i. Identify the participants of the group by name and location;
  - ii. Include a narrative description summarizing the industrial activities of participants of the group and explain why the participants, as a whole, are sufficiently similar to be covered by a group monitoring plan;
  - iii. Include a list of significant materials stored or exposed to storm water and material management practices currently employed to diminish contact of these materials with storm water discharge;
  - iv. Identify and describe why the facilities selected to perform sampling and analysis are representative of the group as a whole in terms of processes used or materials managed. To the extent possible, representative facilities with the most extended scheduled facility operating hours should be selected;

v. If an exception to the requirement that at least 20 percent of the dischargers in a group (and at least 4 dischargers in a group of less than 20 dischargers) is requested, explain why such an exception is necessary, and how the proposed monitoring will be representative of the entire group; and

vi. Contain all items specified in Section B.4 above.

f. Sampling and analysis must comply with the applicable requirements, including Sections B.5.d, B.6, B.7, and B.11 through 17.

h. Unless otherwise instructed by the Regional Water Board or the State Water Board Executive Director, the group monitoring plan shall be implemented by January 1, 1993 and, in subsequent years, at the beginning of the wet season.

i. Upon approval of the State Water Board Executive Director, a group may perform representative monitoring which includes dischargers within the boundaries of more than one Regional Water Board area.

j. Upon approval by the appropriate Regional Water Board, a group within a single Regional Water Board area may perform representative monitoring.

k. All dischargers participating in an approved group monitoring plan that have not been selected to perform sampling are required to comply with all other monitoring program and reporting requirements in Sections B.5.a, b, and c.

l. If any group includes members which are subject to federal storm water effluent limitations guidelines, each of those members must perform the monitoring described in Section B.7, and submit the results of the monitoring to the appropriate Regional Water Board in the discharger's annual monitoring report.

#### 11. Sample Locations

Samples shall be collected from all locations where storm water is discharged. Samples must represent the quality and quantity of storm water discharged from the facility. If a facility discharges storm water at multiple locations, the discharger may sample a reduced number of locations if it is established and documented in the monitoring program that storm water discharges from different locations are substantially identical.

#### 12. Sampling Procedure

Sampling shall consist of a grab sample from a storm event that produces significant storm water discharge that is preceded by at least three (3) working days of dry weather. The grab sample should be taken during the first thirty minutes of the discharge. If collection of the grab sample during the first 30 minutes is impracticable, the grab sample can be taken as soon as practicable thereafter, and the discharger shall explain in the annual monitoring report why the grab sample could not be taken in the first 30 minutes. A discharger may select alternative monitoring procedures (e.g., composite sampling) as long as the discharger has submitted the proposed procedures and justification to the appropriate Regional Water Board prior to use. Unless otherwise instructed by the Regional Water Board, dischargers may use the alternative monitoring procedures submitted.

13. Visual Observation and Sample Collection Exceptions

- a. When a discharger is unable to collect any of the required samples or perform visual observations due to adverse climatic conditions (drought, extended freeze, dangerous weather conditions, etc.), a description of why the sampling or visual observations could not be conducted, including documentation of all significant storm water discharge events, must be submitted along with the annual monitoring report.
- b. Dischargers are required to collect samples and perform visual observations only if significant storm water discharges commence during scheduled facility operating hours<sup>2/</sup>, or within two hours following scheduled facility operating hours. Dischargers are required to perform visual observations only within daylight hours. If dischargers do not collect samples or perform visual observations during a significant storm water discharge due to these exceptions, the discharger shall include documentation in the annual monitoring report.

14. Standard Methods

All sampling and sample preservation shall be in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association). All monitoring instruments and equipment shall be calibrated and maintained in accordance with manufacturers' specifications to ensure accurate measurements. All analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in this general permit or by the Regional Water Board. All metals shall be reported as total metals. All analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. Dischargers may conduct their own laboratory analyses only if the discharger has sufficient capability (qualified employees, laboratory equipment, etc.) to adequately perform the test procedures.

15. Records

Records of all storm water monitoring information and copies of all reports required by this general permit shall be retained for a period of at least five years from the date of the sample, observation, measurement, or report.

These records shall include:

- a. The date, place, and time of site inspections, sampling, visual observations, and/or measurements;
- b. The individual(s) who performed the site inspections, sampling, visual observations, and/or measurements;
- c. Flow measurements or estimates (if required);
- d. The date and time of analyses;
- e. The individual(s) who performed the analyses;

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2/ "Scheduled facility operating hours" are the time periods when the facility is staffed to conduct any function related to industrial activity, including routine maintenance, but excluding time periods where only emergency response, security, and/or janitorial services are performed.

- f. The analytical techniques or methods used and the results of such analyses;
- g. Quality assurance/quality control results;
- h. Dry season observations and wet season visual observation records (see Sections B.5.b & c);
- i. Visual observation and sample collection exception records (see Section B.13);
- j. All calibration and maintenance records of on-site instruments used; and
- k. All original strip chart recordings for continuous monitoring instrumentation.

16. Annual Report

All dischargers shall submit an annual report by July 1 of each year to the Executive Officer of the Regional Water Board responsible for the area in which the facility is located and to the local agency (if requested).

The report shall include a summary of visual observations and sampling results, the certification required in Section B.5.a.ii, and information as required in Section B.13. The report shall be signed and certified in accordance with Standard Provisions 9 and 10 of Section C of this general permit. The first report will be due July 1, 1993.

17. Noncompliance Reporting

Dischargers who cannot certify compliance in accordance with Section B.16 above and/or who have had other instances of noncompliance must notify the appropriate Regional Water Board and/or, upon request, the local agency that receives the storm water drainage. The notifications shall identify the type(s) of noncompliance, describe the actions necessary to achieve compliance, and include a time schedule, subject to the modifications by the Regional Water Board, indicating when compliance will be achieved. Noncompliance notifications must be submitted within 30 days of identification of noncompliance.

Section C: STANDARD PROVISIONS

1. Duty to Comply

The discharger must comply with all of the conditions of this general permit. Any general permit noncompliance constitutes a violation of the Clean Water Act and the Porter-Cologne Water Quality Control Act and is grounds for enforcement action; for general permit termination, revocation and reissuance, or modification; or denial of a general permit renewal application.

The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this general permit has not yet been modified to incorporate the requirement.

2. General Permit Actions

This general permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for a general permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any general permit condition.

If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this general permit, this general permit shall be modified, or revoked and reissued to conform to the toxic effluent standard or prohibition, and the discharger so notified.

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the general permitted activity in order to maintain compliance with the conditions of this general permit.

4. Duty to Mitigate

The discharger shall take all responsible steps to minimize or prevent any discharge in violation of this general permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Proper Operation and Maintenance

The discharger shall at all times properly operate and maintain any facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this general permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems, installed by a discharger when necessary to achieve compliance with the conditions of this general permit.

6. Property Rights

This general permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

7. Duty to Provide Information

The discharger shall furnish the Regional Water Board, State Water Board, USEPA, or local storm water management agency within a reasonable time specified by the agencies, any requested information to determine compliance with this general permit. The discharger shall also furnish, upon request, copies of records required to be kept by this general permit.

8. Inspection and Entry

The discharger shall allow the Regional Water Board, State Water Board, USEPA, and local storm water management agency upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the discharger's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this general permit;
- b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this general permit;
- c. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) that are related to or may impact storm water discharge; and
- d. Sample or monitor at reasonable times for the purpose of ensuring general permit compliance.

9. Signatory Requirements

- a. All Notices of Intent submitted to the State Water Board shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of the facility if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. The principal executive officer of a Federal agency includes the chief executive officer of the agency, or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g. Regional Administrators of USEPA).

- b. All reports, certification, or other information required by the general permit or requested by the Regional Water Board, State Water Board, USEPA, or local storm water management agency shall be signed by a person described above or by a duly authorized representative. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described above and retained as part of the Storm Water Pollution Prevention Plan.

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- (3) If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be attached to the Storm Water Pollution Prevention Plan prior to submittal of any reports, certifications, or information signed by the authorized representative.

#### 10. Certification

Any person signing documents under Provision 9 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

#### 11. Reporting Requirements

- a. **Planned changes:** The discharger shall give notice to the Regional Water Board and local storm water management agency as soon as possible of any planned physical alteration or additions to the general permitted facility. Notice is required under this provision only when the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged.
- b. **Anticipated noncompliance:** The discharger will give advance notice to the Regional Water Board and local storm water management agency of any planned changes in the permitted facility or activity which may result in noncompliance with general permit requirements.
- c. **Compliance schedules:** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this general permit shall be submitted no later than 14 days following each schedule date.
- d. **Noncompliance reporting:** The discharger shall report any noncompliance at the time monitoring reports are submitted. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

#### 12. Oil and Hazardous Substance Liability

Nothing in this general permit shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject under Section 311 of the CWA.

13. Severability

The provisions of this general permit are severable, and if any provision of this general permit, or the application of any provision of this general permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this general permit shall not be affected thereby.

14. Reopener Clause [modified by Order No. 92-12-DWQ, September 1992]

This general permit may be modified, revoked, and reissued, or terminated for cause due to promulgation of amended regulations, receipt of USEPA guidance concerning regulated activities, judicial decision, or in accordance with 40 CFR 122.62, 122.63, 122.64, and 124.5.

15. Penalties for Violations of General Permit Conditions.

a. Section 309 of the CWA provides significant penalties for any person who violates a general permit condition implementing Sections 301, 302, 306, 307 308, 318, or 405 of the CWA, or any general permit condition or limitation implementing any such section in a general permit issued under Section 402. Any person who violates any general permit condition of this general permit is subject to a civil penalty not to exceed \$25,000 per day of such violation, as well as any other appropriate sanction provided by Section 309 of the CWA.

b. The Porter-Cologne Water Quality Control Act also provides for civil and criminal penalties, in some cases greater than those under the CWA.

16. Availability

A copy of this general permit shall be maintained at the discharge facility and be available at all times to operating personnel.

17. Transfers

This general permit is not transferable to any person. A new owner or operator of an existing facility must submit a NOI in accordance with the requirements of this general permit to be authorized to discharge under this general permit.

18. Continuation of Expired General Permit

This general permit continues in force and effect until a new general permit is issued or the State Water Board rescinds the general permit. Only those dischargers authorized to discharge under the expiring general permit are covered by the continued general permit.

19. Penalties for Falsification of Reports

Section 309(c)(4) of the CWA provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this general permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than two years, or by both.

FACILITIES COVERED BY THIS GENERAL PERMIT

Industrial facilities include Federal, State, municipally owned, and private facilities from the following categories:

1. FACILITIES SUBJECT TO STORM WATER EFFLUENT LIMITATIONS GUIDELINES, NEW SOURCE PERFORMANCE STANDARDS, OR TOXIC POLLUTANT EFFLUENT STANDARDS (40 CFR SUBCHAPTER N). Currently, categories of facilities subject to storm water effluent limitations guidelines are Cement Manufacturing (40 CFR Part 411), Feedlots (40 CFR Part 412), Fertilizer Manufacturing (40 CFR Part 418), Petroleum Refining (40 CFR Part 419), Phosphate Manufacturing (40 CFR Part 422), Steam Electric (40 CFR Part 423), Coal Mining (40 CFR Part 434), Mineral Mining and Processing (40 CFR Part 436), Ore Mining and Dressing (40 CFR Part 440), and Asphalt Emulsion (40 CFR Part 443). The fact sheet accompanying this general permit contains additional information pertaining to facilities subject to new source performance standards or toxic pollutant effluent standards.
2. MANUFACTURING FACILITIES: Standard Industrial Classifications (SICs) 24 (except 2411 and 2434), 26 (except 265 and 267), 28 (except 283 and 285) 29, 311, 32 (except 323), 33, 3441, and 373.
3. OIL AND GAS/MINING FACILITIES: SICs 10 through 14 including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(1) because of performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Act (SMCRA) authority has been released, or except for area of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come into contact with any overburden, raw material, intermediate products, finished products, by-products, or waste products located on the site of such operations. Inactive mining operations are mined sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined material, or sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.
4. HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES: Includes those operating under interim status or a general permit under Subtitle C of the federal Resource Conservation and Recovery Act (RCRA).
5. LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS: Sites that receive or have received industrial waste from any of the facilities covered by this general permit, sites subject to regulation under Subtitle D of RCRA, and sites that have accepted wastes from construction activities (construction activities include any clearing, grading, or excavation that results in disturbance of five acres or more).
6. RECYCLING FACILITIES: SICs 5015 and 5093. These codes include metal scrapyards, battery reclaimers, salvage yards, motor vehicle dismantlers and wreckers, and recycling facilities that are engaged in assembling, breaking up, sorting, and wholesale distribution of scrap and waste material such as bottles, wastepaper, textile wastes, oil waste, etc.
7. STEAM ELECTRIC POWER GENERATING FACILITIES: Includes any facility that generates steam for electric power through the combustion of coal, oil, wood, etc.
8. TRANSPORTATION FACILITIES: SICs 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or other operations identified herein that are associated with industrial activity.

9. SEWAGE OR WASTEWATER TREATMENT WORKS: Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of one million gallons per day or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens, or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA.
  
11. MANUFACTURING FACILITIES WHERE MATERIALS ARE EXPOSED TO STORM WATER: SICs 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-4225.

Note: Category 10, Construction activity, is covered by a separate general permit.

# STATE WATER RESOURCES CONTROL BOARD

P. O. Box 100, Sacramento, CA 95812-0100

Legislative and Public Affairs: (916) 657-2390  
 Water Quality Information: (916) 657-0687

Clean Water Programs Information: (916) 739-4400  
 Water Rights Information: (916) 657-2170

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARDS

### NORTH COAST REGION (1)

5550 Skylane Blvd. Suite A  
 Santa Rosa, CA 95403  
 (707) 576-2220

### SAN FRANCISCO BAY REGION (2)

2101 Webster Street, Ste. 500  
 Oakland, CA 94612  
 (510) 286-1255

### CENTRAL COAST REGION (3)

81 Higuera St., Suite 200  
 San Luis Obispo, CA 93401-5414  
 (805) 549-3147

### LOS ANGELES REGION (4)

101 Centre Plaza Drive  
 Monterey Park, CA 91754-2156  
 (213) 266-7500

### CENTRAL VALLEY REGION (5)

3443 Rottier Road  
 Sacramento, CA 95827-3098  
 (916) 255-3000

### Fresno Branch Office

3614 East Ashlan Ave.  
 Fresno, CA 93726  
 (209) 445-5116

### Redding Branch Office

415 Knollcrest Drive  
 Redding, CA 96002  
 (916) 224-4845

### LAHONTAN REGION (6)

2092 Lake Tahoe Boulevard, Suite 2  
 South Lake Tahoe, CA 96150  
 (916) 544-3481

### Victorville Branch Office

Civic Plaza,  
 15428 Civic Drive, Suite 100  
 Victorville, CA 92392-2359  
 (619) 241-6583

### COLORADO RIVER BASIN REGION (7)

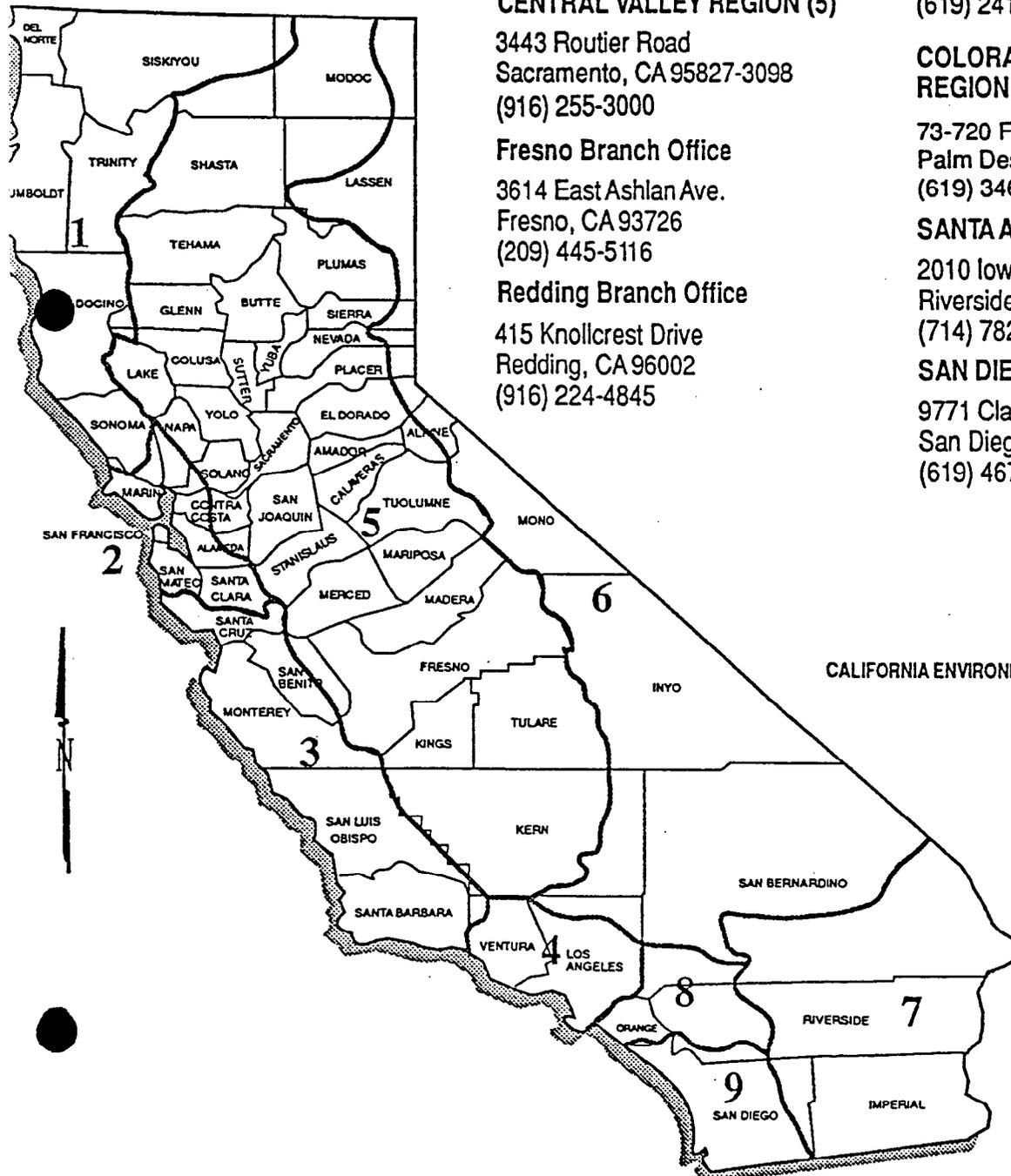
73-720 Fred Waring Drive, Suite 100  
 Palm Desert, CA 92260  
 (619) 346-7491

### SANTA ANA REGION (8)

2010 Iowa Avenue, Ste. 100  
 Riverside, CA 92507-2409  
 (714) 782-4130

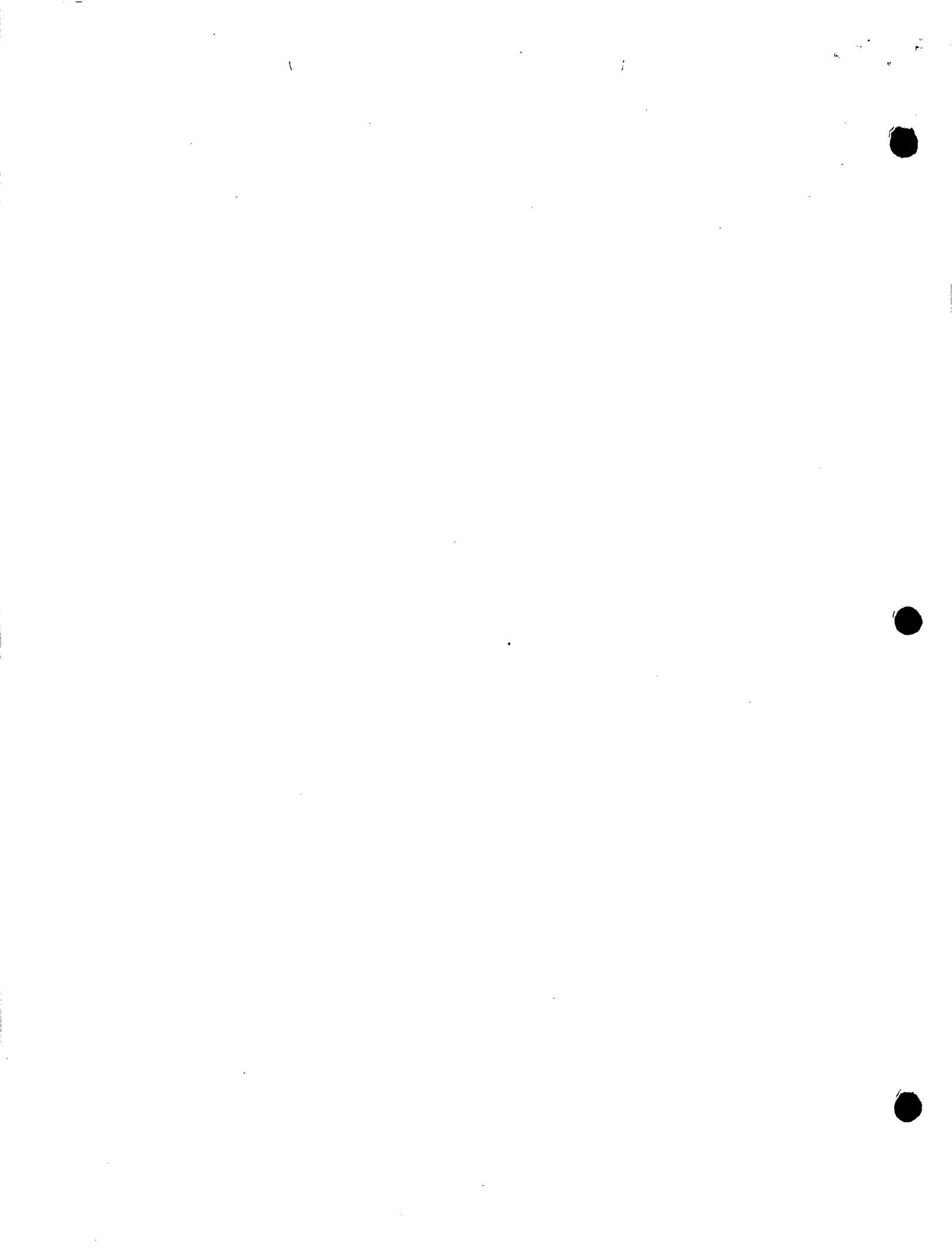
### SAN DIEGO REGION (9)

9771 Clairemont Mesa Blvd. Ste. B  
 San Diego, CA 92124  
 (619) 467-2952



STATE OF CALIFORNIA  
 Pete Wilson, Governor

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
 James M. Strock, Secretary



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

NOTICE OF INTENT (NOI) TO COMPLY WITH THE TERMS  
OF THE GENERAL PERMIT TO DISCHARGE STORM WATER ASSOCIATED  
WITH INDUSTRIAL ACTIVITIES EXCLUDING  
CONSTRUCTION ACTIVITIES

GENERAL INSTRUCTIONS

Updated October 15, 1992

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Who Must Submit

Facilities which have been defined by the USEPA regulations as having "storm water discharges associated with industrial activity" must obtain coverage under an NPDES permit for their storm water discharges. Facilities requiring coverage are defined in 40 CFR Section 122.26(b)(14). All facilities in California except those listed below, may seek coverage under the State Water Board's NPDES general permit.

Facilities Not Covered By This General Permit

Storm water discharges from the following facilities may not obtain coverage by this general permit:

- a. Facilities in Santa Clara County which drain to San Francisco Bay must seek coverage under a separate general permit issued by the San Francisco Bay Regional Water Board.
- b. Facilities with an existing NPDES permit that specifically limits and regulates storm water discharges.
- c. Construction activities greater than five acres must obtain coverage under the NPDES construction activity storm water general permit.
- d. Facilities on Indian lands will be regulated by the USEPA.
- e. Logging Activities.

Where to Apply

The NOI should be mailed to the State Water Resources Control Board at the following address:

State Water Resources Control Board  
Division of Water Quality  
P.O. Box 1977  
Sacramento, CA 95812-1977  
Attn: Storm Water Permitting Unit

When to Apply

Owners/operators of existing facilities must file a NOI, along with the appropriate annual fee, prior to March 30, 1992. Owners/operators of new facilities (those beginning operations after March 30, 1992) must file a NOI at least 30 days prior to the beginning of operations. Facilities that miss the appropriate deadlines for filing their NOIs may file their NOIs late but will be in violation for the period they were late.

Fees

The annual fee is \$250.00 for each facility which discharges into a municipal separate storm sewer system regulated by an areawide urban storm water general permit and \$500.00 for all other facilities.

Facilities that have either a NPDES permit or waste discharge requirements (WDRs) and already pay an annual fee are not subject to an additional fee for the storm water general permit. Feedlots subject to this general permit will pay a one-time only fee of \$2,000. Feedlots that already have a NPDES general permit or WDRs and have paid the \$2,000 fee do not have to pay an additional fee for the storm water general permit.

Completing the NOI

Completion and submittal of the attached NOI (Form NOI-1) is required to gain coverage under the general permit. It must be completely and accurately filled out. A facility will be considered to be covered by the general permit upon filing a complete and accurate NOI and submitting the appropriate annual fee. Each discharger will be given a distinct identification number. Upon receipt of the NOI and fee, each discharger will be sent a letter containing the discharger's identification number.

Questions?

If you have any questions completing the NOI after reading the following line-by-line instructions, please call the appropriate Regional Water Board or the State Water Board at (916) 657-0919.

NOI--LINE-BY LINE INSTRUCTIONS

The NOI consists of two parts--a NOI Form (Form NOI-1) and a site map. Please type or letter when completing the NOI Form and site map.

Mark one of the three boxes at the top portion of the NOI. Check box 1 if the NOI is being completed for an existing facility, box 2 if the facility is new (has not started operations), and box 3 if the NOI is being submitted to report changes to a facility already covered by the general permit. An example of a change that warrants a resubmittal of the NOI would be a change of owner/operator of a facility. Complete only those portions of the NOI that apply to the changes (the NOI must always be signed). If box 3 is checked, the WDID number must be included.

SECTION I--OWNER/OPERATOR

Enter the name of the person, company, firm, public organization, or any other entity which owns the facility (or operates the facility when the owner does not operate the facility) and check the box corresponding to the appropriate ownership status of the facility. The owner/operator information may or may not be the same as the facility information requested in Section II.

SECTION II--FACILITY/SITE INFORMATION

Enter the facility's official or legal name and provide the address, county, and contact person information for the facility. Facilities that do not have a street address must attach to the NOI a legal description of the facility site. The contact person should be the plant or site manager completely familiar with the facility and charged with compliance and oversight of the general permit.

**SECTION III--BILLING ADDRESS**

To continue coverage under the general permit, the annual fee must be paid. Use this section to indicate whether the annual fee invoices should be sent to the owner/operator, facility, or other party (include address).

**SECTION IV--RECEIVING WATER INFORMATION**

In Part A of this section, the owner/operator is required to indicate whether the facility's storm water runoff discharges to a separate storm sewer system, directly to waters of the United States, or indirectly to waters of the United States.

Discharges to separate storm sewer systems are those that discharge to a collection system operated by municipalities, flood control districts, utilities, or similar entities. Storm water discharges directly to waters of the United States will typically have an outfall structure directly from the facility to a river, creek, lake, ocean, etc. Indirect discharges are those that may flow over adjacent properties or right-of-ways prior to discharging to waters of the United States.

Regardless of point of discharge, the applicant must determine the closest receiving water for its storm water discharge. If discharge is to a separate storm sewer system, the owner of that system should know the receiving water. The name of the receiving water of a direct discharge should be easily available while the receiving water of an indirect discharge may require some effort to identify.

**SECTION V--INDUSTRIAL INFORMATION**

Part A of this section requests the owner/operator to provide the standard industrial classification (SIC) codes(s) which best describes the industrial activity taking place at your facility. Briefly describe the nature of business in Part B. In Part C, check the general industrial activities that take place at the facility.

**SECTION VI--MATERIAL HANDLING/MANAGEMENT PRACTICES**

Part A of this section requires identification of the type(s) of materials stored and handled outdoors. If other types of materials other than those listed are maintained on site, please check "other" and describe the type of material.

Part B of this section requests information on any existing management practices employed at the facility. Check the appropriate categories or list other control measures you use at your facility. If none are used, leave this part blank.

**SECTION VII--FACILITY INFORMATION**

List the size, in acres or square feet, of the facility and the percentage of the site that is impervious.

**SECTION VIII--REGULATORY STATUS**

Check the appropriate box(es) and indicate the identification number of any permits currently in effect at the facility.

**SECTION IX--CERTIFICATION**

This section should be read by the owner/operator. The certification provides for assurances that the NOI and site map were completed in an accurate and complete fashion and with the knowledge that penalties exist for providing false information. It also requires the owner/operator to certify that the provisions in the general permit will be complied with.

The NOI must be signed by:

For a Corporation: a responsible corporate officer (or authorized individual).

For a Partnership or Sole Proprietorship: a general partner or the proprietor, respectively.

For a Municipality, State, or other non-federal Public Agency: either a principal executive officer or ranking elected official.

For a Federal Agency: either the chief or senior executive officer of the agency.

**SITE MAP**

Provide a "to scale" drawing of the site and its immediate surroundings. Include as much detail about the site as possible. At a minimum, show buildings, material handling areas, roadways, storm water collection and discharge points, a north arrow, and the names of adjacent streets. The attached form may be used, if convenient. Thomas Guide maps, local street maps, or USGS quadrangle maps may be used to indicate the location of the facility if appropriate (e.g., very large facilities). The source of map and map number, or other identifiers should be shown in the lower left hand corner of the site map.



**NOTICE OF INTENT**  
TO COMPLY WITH THE TERMS OF THE  
GENERAL PERMIT TO DISCHARGE STORM WATER  
ASSOCIATED WITH INDUSTRIAL ACTIVITY (WQ Order Nos. 91-13-DWQ & 92-12-DWQ)  
(Excluding Construction Activities)

<b>MARK ONLY ONE ITEM</b>	1. <input type="checkbox"/> Existing Facility	3. <input type="checkbox"/> Change of Information	WDID #
	2. <input type="checkbox"/> New Facility		

**I. OWNER/OPERATOR**

Name		A. Owner/Operator Type (Check one)	
Mailing Address		1. <input type="checkbox"/> City 2. <input type="checkbox"/> County 3. <input type="checkbox"/> State 4. <input type="checkbox"/> Federal	
City		State	Zip
Contact Person		5. <input type="checkbox"/> Special District 6. <input type="checkbox"/> Gov. Combo 7. <input type="checkbox"/> Private	
		B. 1. <input type="checkbox"/> Owner 2. <input type="checkbox"/> Operator 3. <input type="checkbox"/> Owner/Operator	

**II. FACILITY/SITE INFORMATION**

Facility Name		County	
Street Address		Contact Person	
City		State	Zip
		C, A	Phone

**III. BILLING ADDRESS**

Send to: <input type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> FACILITY <input type="checkbox"/> OTHER (Enter information at right)	Name		
	Mailing Address		
	City	State	Zip

**IV. RECEIVING WATER INFORMATION**

A. Does your construction site's storm water discharge to (Check one)	
1. <input type="checkbox"/> Storm drain system - Enter system owners name	
2. <input type="checkbox"/> Directly to waters of U.S. (e.g., river, lake, creek, ocean)	
3. <input type="checkbox"/> Indirectly to waters of U.S.	
B. Name of closest receiving water	

**STATE USE ONLY**

WDID:	Regional Board Office:	Date Permit Issued:
NPDES Permit Number: CA	Order Number:	Fee Amount Received: \$
		Date NOI Received:

**V. INDUSTRIAL INFORMATION**

<p>A. SIC Code(s) 1. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> 2. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p>3. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> 4. <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p>	<p>B. Type of Business</p>												
<p>C. Industrial activities at facility (Check all that apply)</p> <table style="width:100%; border: none;"> <tr> <td style="width: 33%;"><input type="checkbox"/> Manufacturing</td> <td style="width: 33%;"><input type="checkbox"/> Vehicle Maintenance</td> <td style="width: 33%;"><input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Facility (RCRA Subtitle C)</td> </tr> <tr> <td><input type="checkbox"/> Material Storage</td> <td><input type="checkbox"/> Vehicle Storage</td> <td><input type="checkbox"/> Material Handling</td> </tr> <tr> <td><input type="checkbox"/> Power Generation</td> <td><input type="checkbox"/> Recycling</td> <td><input type="checkbox"/> Landfill</td> </tr> <tr> <td colspan="3"><input type="checkbox"/> 99. Other: _____</td> </tr> </table>		<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Vehicle Maintenance	<input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Facility (RCRA Subtitle C)	<input type="checkbox"/> Material Storage	<input type="checkbox"/> Vehicle Storage	<input type="checkbox"/> Material Handling	<input type="checkbox"/> Power Generation	<input type="checkbox"/> Recycling	<input type="checkbox"/> Landfill	<input type="checkbox"/> 99. Other: _____		
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<input type="checkbox"/> Power Generation	<input type="checkbox"/> Recycling	<input type="checkbox"/> Landfill											
<input type="checkbox"/> 99. Other: _____													

**VI. MATERIAL HANDLING/MANAGEMENT PRACTICES**

<p>A. Types of materials handled and/or stored outdoors (Check all that apply)</p> <table style="width:100%; border: none;"> <tr> <td style="width: 25%;"><input type="checkbox"/> 1. Solvents</td> <td style="width: 25%;"><input type="checkbox"/> 2. Scrap Metal</td> <td style="width: 25%;"><input type="checkbox"/> 3. Petroleum Products</td> <td style="width: 25%;"><input type="checkbox"/> 4. Plating Products</td> </tr> <tr> <td><input type="checkbox"/> 5. Pesticides</td> <td><input type="checkbox"/> 6. Hazardous Wastes</td> <td><input type="checkbox"/> 7. Paints</td> <td><input type="checkbox"/> 8. Wood Treating Products</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> 99. Other (Please list)</td> </tr> </table>				<input type="checkbox"/> 1. Solvents	<input type="checkbox"/> 2. Scrap Metal	<input type="checkbox"/> 3. Petroleum Products	<input type="checkbox"/> 4. Plating Products	<input type="checkbox"/> 5. Pesticides	<input type="checkbox"/> 6. Hazardous Wastes	<input type="checkbox"/> 7. Paints	<input type="checkbox"/> 8. Wood Treating Products	<input type="checkbox"/> 99. Other (Please list)			
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<input type="checkbox"/> 99. Other (Please list)															
<p>B. Identify existing management practices employed to reduce pollutants in industrial storm water discharges (Check all that apply)</p> <table style="width:100%; border: none;"> <tr> <td style="width: 25%;"><input type="checkbox"/> 1. Oil/Water Separator</td> <td style="width: 25%;"><input type="checkbox"/> 2. Containment</td> <td style="width: 25%;"><input type="checkbox"/> 3. Berms</td> <td style="width: 25%;"><input type="checkbox"/> 4. Leachate Collection</td> </tr> <tr> <td><input type="checkbox"/> 5. Overhead Coverage</td> <td><input type="checkbox"/> 6. Recycling</td> <td><input type="checkbox"/> 7. Retention Facilities</td> <td><input type="checkbox"/> 8. Chemical Treatment</td> </tr> <tr> <td colspan="4"><input type="checkbox"/> 99. Other (Please list)</td> </tr> </table>				<input type="checkbox"/> 1. Oil/Water Separator	<input type="checkbox"/> 2. Containment	<input type="checkbox"/> 3. Berms	<input type="checkbox"/> 4. Leachate Collection	<input type="checkbox"/> 5. Overhead Coverage	<input type="checkbox"/> 6. Recycling	<input type="checkbox"/> 7. Retention Facilities	<input type="checkbox"/> 8. Chemical Treatment	<input type="checkbox"/> 99. Other (Please list)			
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<input type="checkbox"/> 5. Overhead Coverage	<input type="checkbox"/> 6. Recycling	<input type="checkbox"/> 7. Retention Facilities	<input type="checkbox"/> 8. Chemical Treatment												
<input type="checkbox"/> 99. Other (Please list)															

**VII. FACILITY INFORMATION**

<p>A. Total size of site (Check one)</p> <p><input type="checkbox"/> Acres    <input type="checkbox"/> Sq. Ft.</p>	<p>B. Percent of site impervious (Including rooftops)</p> <p>_____ %</p>
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**VIII. REGULATORY STATUS (Check all that apply)**

<p>A. <input type="checkbox"/> Regulated by Storm water Effluent Guidelines (40 CFR Subchapter N)</p>	<p>B. <input type="checkbox"/> Waste Discharge Requirements (Order Number) _____</p>	<p>C. <input type="checkbox"/> NPDES Permit CA _____</p>
<p>D. <input type="checkbox"/> RCRA Permit Number _____</p>	<p>E. <input type="checkbox"/> Regulated by California Code of Regulations Article 6, Chapter 15 (Feedlots).</p>	

**IX. CERTIFICATION**

"I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment." In addition, I certify that the provisions of the permit, including the development and implementation of a Storm Water Pollution Prevention Plan and a Monitoring Program Plan, will be complied with.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

DEFINITIONS

1. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
2. Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500 as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; 33 USC. 1251 et seq.
3. "Facility" is a collection of industrial processes discharging storm water associated with industrial activity within the property boundary of operational unit.
4. "Non-Storm Water Discharge" means any discharge to storm sewer systems that is not composed entirely of storm water except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities. (See fact sheet, page 8, for clarification on non-storm water dischargers unrelated to industrial activity).
5. "Significant Materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.
6. "Significant Quantities" is the volume, concentrations, or mass of a pollutant in storm water discharge that can cause or threaten to cause pollution, contamination, or nuisance; adversely impact human health or the environment; and cause or contribute to a violation of any applicable water quality standards for the receiving water.
7. "Storm water" means storm water runoff, snow melt runoff, and surface runoff and drainage. It excludes infiltration and runoff from agricultural land.
8. "Storm Water Associated with Industrial Activity" means "the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. The term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR Part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. The term also includes storm water discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. Material handling activities include the: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product, or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are federally, state, or municipally owned or operated that meet the description of the facilities listed in this paragraph) include those facilities designated under 40 CFR 122.26(a)(1)(v).

